

MINUTES OF THE PUBLIC MEETING OF THE UTAH COUNTY COMMISSION NOVEMBER 16, 2015 IN THE COMMISSION CHAMBERS OF THE COUNTY BUILDING AT 147 EAST MAIN, VERNAL, UTAH. MEETING COMMENCED AT 11:00 AM.

PARTICIPANTS: COMMISSIONERS BILL STRINGER, MARK RAYMOND, AND MICHAEL MCKEE, CHAIR.

ATTENDANCE: CHERYL STOCKS, ROBERT BARNHILL, WAYNE DUNBAR, STEVE EVANS, JOEL BROWN, ZEKE ATWOOD, ANNIE SMITH, STEVEN SROKA, TODD SMITH, CHERYL MEIER, BRYAN MEIER, ED ZURBUCHEN, MICHAEL WILKINS, BRENDA MCDONALD, ADAM MASSEY, SETH LYMAN, PAUL HACKING, BARBARA SIMPER, SAM PASSEY, GAWAIN SNOW, JON STEARMER, LOREN ANDERSON, AND SCOTT CHEW.

MINUTES RECORDED BY TAI BRUCKNER

PRAYER GIVEN BY MICHAEL WILKINS

PLEDGE OF ALLEGIANCE LED BY ZEKE ATWOOD

ECONOMIC DEVELOPMENT DIRECTOR: 29 RESUMES WERE RECEIVED FOR THE POSITIONS. THE COMMISSION WAS IMPRESSED WITH THE QUALITY AND CALIBER OF THE APPLICANTS. 8 APPLICANTS WERE INTERVIEWED. IT WAS A DIFFICULT DECISION TO MAKE. ANNIE SMITH WILL BE THE NEW ECONOMIC DEVELOPMENT DIRECTOR. SHE HAS AN MBA FROM UTAH STATE UNIVERSITY WITH AN EMPHASIS ON ENTREPRENEURSHIP. SHE HAS THE EDUCATION AND THE WORK EXPERIENCE TO DO WELL. SHE EXPRESSED A LOVE FOR THE COUNTY AND A DESIRE TO SEE US ALL SUCCEED AND DIVERSIFY OUR ECONOMY. SHE WILL SUPPORT THE LOCAL BUSINESSES AND WORK TO ATTRACT ADDITIONAL BUSINESS. SHE HAS THE ABILITY TO COMMUNICATE WELL WITH OTHERS. COMMISSIONER RAYMOND ADDED SHE HAS A WAY OF MAKING OTHERS UNDERSTAND HER AND MAKE THEM FEEL AT EASE. SHE BRINGS ENERGY TO THE ROOM AND WE ARE EXCITED TO HAVE HER ABOARD.

APPROVAL OF REGULAR COMMISSION MINUTES NOVEMBER 9, 2015

WARRANTS DATED NOVEMBER 12, 2015 IN THE AMOUNT OF \$309,038.54 WERE APPROVED AS PRESENTED.

TAX MATTERS: NONE

BUSINESS LICENSES: ROBERT BARNHILL

DOUBLE D ANTLERS, OWNED BY DENNIS LAMOREAUX, LOCATED AT 2274 NORTH 250 WEST, VERNAL IN A-1 ZONING. HE WILL BE SELLING THE ANTLER SHEDS HE HAS COLLECTED. HE HAS A STATE REGISTERED SALES TAX LICENSE. ROBERT BARNHILL SPOKE WITH THE DWR ABOUT COLLECTING SHEDS AND THEY HAVE THE REQUIRED CERTIFICATE. APPROVAL RECOMMENDED WITH THE CONDITIONS TO FOLLOW THE A-1 ZONING AND HOME BUSINESS LICENSE REGULATIONS.

MOGEN AND MOGEN ENTERPRISES WAS INTRODUCED LAST WEEK. ROBERT BARNHILL MADE A FEW PHONE CALLS TO TRI-COUNTY HEALTH BUT WAS NOT ABLE TO SPEAK WITH DARREN BROWN. THE APPLICANT NOTED TRI-COUNTY HEALTH IS REQUIRING A LOG BOOK TO KEEP TRACK OF WHEN AND WHERE THE PORTABLE RESTROOMS ARE LOCATED AT ALL TIMES. THEY WILL GO TO THE PORTABLE RESTROOM'S LOCATION TO PUMP IT OUT AND CLEAN IT FOR CONTINUED USE OR TAKE IT BACK TO THE RESIDENCE UNTIL IT IS NEEDED. THEY WILL BE SANITIZED WITH WIPES. THE APPLICANT NOTED THEY WENT OVER THE PROCESS WITH TRI-COUNTY HEALTH. TRI-COUNTY HEALTH DID SIGN APPROVAL ON THE BUSINESS LICENSE APPLICATION. ROBERT EMPHASIZED WITH THE APPLICANT THAT THEY MUST STAY IN THE CLOSED BUILDING. COMMISSIONER STRINGER ASKED WHERE THE WASTE WAS DUMPED AFTER IT IS PUMPED FROM THE PORTABLE RESTROOM INTO THE TANK ON THE TRUCK. ROBERT DID NOT ASK THEM THAT. MICHAEL WILKINS NOTED THERE IS A DUMP STATION AT THE SEWER PLANT FOR COMPANIES THAT PUMP SEPTIC SYSTEMS. COMMISSIONER STRINGER ASKED

ROBERT TO MAKE A PHONE CALL TO THE APPLICANT AND THE COMMISSION CAN MAKE A DECISION BEFORE THE MEETING IS OVER.

COMMISSIONER STRINGER MOVED TO APPROVE THE BUSINESS LICENSE AS PRESENTED FOR DOUBLE D ANTLERS. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

CEMETERY CERTIFICATES: MICHAEL WILKINS

RODNEY B MORRISON AND LESA L MORRISON TRUSTEES OF THE MORRISON FAMILY TRUST PURCHASED BLOCK 334 LOT D SPACES 20 AND 21 IN THE ROCKPOINT CEMETERY FOR THE SUM OF \$600.00.

VICTOR KEITH MACKAY PURCHASED LOT 163 SPACE 5 IN THE ROCKPOINT CEMETERY FOR THE SUM OF \$300.00.

CRAIG BLUNT AND CONNIE BLUNT PURCHASED BLOCK 333 LOT B SPACES 25 AND 26 IN THE ROCKPOINT CEMETERY FOR THE SUM OF \$600.00.

COMMISSIONER RAYMOND MOVED TO APPROVE THE CEMETERY CERTIFICATES AS PRESENTED. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

MISCELLANEOUS:

THE CANVAS MEETING FOR THE GENERAL ELECTION WILL BE HERE TOMORROW, TUESDAY THE 17TH, AT 11 AM. THE ELECTION RESULTS WILL BE FINALIZED. THERE WILL ALSO BE TWO RESOLUTIONS UP FOR CONSIDERATION REGARDING THE GENERAL OBLIGATION BOND, PROPOSITION A, RESULTS. THE SECOND RESOLUTION WILL BE PAYING OFF THE EXISTING BONDS TO MAKE WAY FOR THE NEW BONDS. THE TRANSPORTATION TAX, PROPOSITION I, RESULTS ARE STILL PRELIMINARY. THERE ARE 416 VOTES TO COUNT AND THEY WILL MAKE A DIFFERENCE.

BID OPENING AND POSSIBLE AWARD: AIRPORT PAVEMENT PRESERVATION CRACK SEAL AND SEAL COAT

MICHAEL WILKINS OPENED THE FIVE BIDS WE RECEIVED. NONE OF THE BIDS WERE LOCAL. INTERMOUNTAIN SLURRY SEAL OF NORTH SALT LAKE SUBMITTED A BID FOR \$128,799.51. BONNEVILLE ASPHALT AND REPAIR OF OREM SUBMITTED A BID FOR \$85,126.85. STRAIGHT STRIPE PAINTING OF ST. GEORGE SUBMITTED A BID FOR \$127,288.88. TOP JOB LLC OF MENDEN, UTAH SUBMITTED A BID FOR \$111,352.00. M&M ASPHALT OF WEST JORDAN SUBMITTED A BID FOR \$84,243.14.

COMMISSIONER RAYMOND MOVED TO ACKNOWLEDGE THE BIDS, REVIEW THE SPECIFICATIONS, AND AWARD AT A LATER DATE. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

PRESENTATION OF NATIVE AMERICAN MONTH – UTE TRIBE BUSINESS COMMITTEE

THE UTE TRIBE BUSINESS COMMITTEE HAD SOMETHING UNEXPECTED COME UP AND WERE UNABLE TO ATTEND THE MEETING. THEY WILL RESCHEDULE.

COMMUNITY DEVELOPMENT: RIGHT OF WAY ENCROACHMENT – CHAEL, INC / TODD SMITH – REQUESTING PERMISSION TO CONSTRUCT TWO STRUCTURES WITHIN THE COUNTY'S RIGHT-OF-WAY WITHIN THE HIDDEN COVE SUBDIVISION AT 4075 WEST 1500 NORTH, VERNAL. THIS REQUEST WAS ON THE AGENDA A MONTH OR TWO AGO. MANY OF THE QUESTIONS THAT WERE BROUGHT UP LAST TIME HAVE BEEN ANSWERED. IT IS RECOMMENDED THAT IF THE ENCROACHMENT IS APPROVED, IT COULD BE CONTINGENT UPON AN AGREEMENT ACCEPTABLE TO THE ATTORNEY'S OFFICE AND THE PROPERTY OWNERS IN REGARDS TO THE MAINTENANCE AND RESPONSIBILITIES OF THE STRUCTURE. THIS WAY THEY WOULD NOT HAVE TO SPEND MONEY DRAFTING SUCH AN AGREEMENT IF IT WOULDN'T BE NECESSARY ANYWAY. THE WALL GOES RIGHT UP TO THE CURB. THERE ARE TWO ARCHWAYS THE SIDEWALK WOULD BE CHANGED TO GO THROUGH. THEY WOULD NEED TWO ADDITIONAL FEET OF RIGHT OF WAY TO ACCOMMODATE THE CHANGE IN THE SIDEWALK WHICH WOULD REQUIRE A PLOT AMENDMENT. MATT WAS UNSURE OF

THE EXACT LOCATION OF THE UTILITIES. ELECTRICAL WILL BE RUN TO THE STRUCTURE AND THE PROPERTIES IT SITS ON WILL BE RESPONSIBLE FOR THAT COST. THE STRUCTURE WAS BUILT WITHOUT A BUILDING PERMIT. ONCE THEY WERE NOTIFIED, THEY STOPPED CONSTRUCTION AND STARTED WORKING THROUGH THIS PROCESS.

COMMISSIONER RAYMOND NOTED WHAT A NICE LOOKING STRUCTURE IT IS AND A GREAT GATEWAY INTO THE DEVELOPMENT. IT IS PART OF THE SELLING POINT. HOWEVER, THE COUNTY MUST REMAIN CONSISTENT. OTHER DEVELOPERS HAVE BEEN DENIED SIMILAR REQUESTS. SOME STRUCTURES HAVE HAD TO BE REMOVED. THIS STRUCTURE WILL POSE A PROBLEM FOR THE ROAD DEPARTMENT SNOW PLOWS. THEY HAVE A CURVING BLADE SO THE TOP OF THE PLOW BLADE EXTENDS ANOTHER FOOT OR SO BEYOND THE BOTTOM EDGE. AS THIS STRUCTURE IS RIGHT ON THE EDGE OF THE TRAVEL SURFACE, IT WOULD BECOME A HAZARD. IN RESPONSE TO COMMISSIONER STRINGER'S QUESTION, THE RIGHT OF WAY ACTUALLY GOES ANOTHER FOUR OR FIVE FEET PAST THE SIDEWALK.

COMMISSIONER STRINGER ASKED TODD, THE DEVELOPER, WHY THEY CHOSE TO BUILD AGAINST THE TRAVEL SURFACE. THEY FELT THE ARCHWAY WITH THE SIDEWALK WAS ATTRACTIVE. THERE WOULD BE A PONDLESS WATER FALL OUTSIDE THE RIGHT OF WAY FOR AESTHETICS. THE PROPERTY OWNER WOULD BE RESPONSIBLE FOR THIS FEATURE AND ITS MAINTENANCE COSTS. HE UNDERSTANDS THE PLOW HANGS OVER BUT DOES NOT UNDERSTAND HOW THE PLOW DRIVER WOULD NOT SEE SUCH A LARGE STRUCTURE. JON STEARMER NOTED IT IS IMPORTANT FOR THE COUNTY TO KEEP ITEMS OUT OF THE COUNTY RIGHT OF WAY FOR THE EFFICIENCY AND THE SAFETY OF THE DRIVERS. IF THEY DO NOT HAVE TO MOVE AROUND OBSTACLES THEY ARE ABLE TO DO THEIR JOBS FASTER AND MORE EFFICIENT. WE CANNOT KNOWINGLY PUT THE EMPLOYEES IN DANGER. TODD NOTED THEY ARE WILLING TO ADDRESS THE ISSUE AND SEE IF THEY CAN CHANGE THEIR PLANS. THEY WOULD PREFER TO KEEP THE STRUCTURE. THE PROPERTY OWNERS ACKNOWLEDGE THIS IS AN EXTENSION OF THEIR PROPERTY AND THEY MUST MAINTAIN IT. THERE IS NOT A HOMEOWNER'S ASSOCIATION.

COMMISSIONER RAYMOND REITERATED HOW MUCH HE LIKES THE EXTRA EFFORTS THE DEVELOPERS HAVE PUT INTO THIS QUALITY DEVELOPMENT. HE WAS CONCERNED WITH THE SAFETY OF CHILDREN THAT MAY BE PLAYING BEHIND THE STRUCTURE AS WELL. THE COMMISSION MUST REMAIN CONSISTENT. HE DID ACKNOWLEDGE THAT SOMETIMES THAT DOESN'T HAPPEN. COMMISSIONER STRINGER AGREED.

COMMISSIONER RAYMOND MOVED TO DENY THE RIGHT OF WAY ENCROACHMENT. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

2016 PUBLIC BUDGET HEARING

MICHAEL WILKINS DETAILED THE PRELIMINARY BUDGET. THIS DETAIL IS AVAILABLE IN THE CLERK AUDITOR'S OFFICE. THE GENERAL FUND TOTAL EXPENSES ARE BUDGETED AT \$26,491,200 WITH OFFSETTING REVENUES. THE MUNICIPAL SERVICES FUND TOTAL EXPENSES ARE BUDGETED AT \$5,273,700 WITH OFFSETTING REVENUES. THE GRAND TOTAL BUDGET FOR THE COUNTY IS \$76,048,200. THE BUDGET FOR 2015 WAS \$92,711,800. THE CONSTRUCTION OF THE CONFERENCE CENTER IS A LARGE PART IN THE DECREASE. THERE WILL BE AN INCREASE IN HEALTH INSURANCE AND THERE WILL NOT BE ANY RAISES FOR EMPLOYEES EXCEPT THOSE ON PROBATION. MANY DEPARTMENTS WERE ABLE TO DECREASE THEIR BUDGETS RECOGNIZING THE CURRENT ECONOMIC SITUATION. MICHAEL WILKINS ALSO ADDED THE BUDGET DOES NOT INCLUDE NEW EMPLOYEES. IT DOES NOT INCORPORATE THE GAS TAX APPROVED BY THE LEGISLATURE AS THAT IS AN UNKNOWN NUMBER AT THIS TIME. IT GOES INTO EFFECT JANUARY 1ST BUT WE MAY NOT SEE ANY FUNDS UNTIL MAY OR JUNE. IT IS EARMARKED FOR B ROAD FUNDS. IF PROPOSITION 1 WERE TO PASS, IT WOULD BEGIN COLLECTING JANUARY 1ST AND WE WOULD NOT RECEIVE ANY FUNDS UNTIL APRIL OR MAY. AS THE COUNTY CUTS BACK ON EXPENSES THE SPECIAL SERVICE DISTRICTS WILL ALSO HAVE TO CUT THEIR BUDGETS BY AROUND 50%.

THE BUDGET IS OPEN FOR PUBLIC COMMENT UNTIL IT IS ADOPTED DECEMBER 14TH.

BOARD APPOINTMENTS: NONE

COMMISSIONER RAYMOND NOTED THE BOARD TERMS WILL BE REVIEWED AND POSITIONS WILL BE ADVERTISED IN THE NEXT FEW WEEKS. IF YOU ARE INTERESTED, PLEASE WATCH FOR THEM.

BUSINESS LICENSE CONTINUATION

ROBERT BARNHILL WAS NOT ABLE TO REACH THE APPLICANT. COMMISSIONER STRINGER EXPRESSED HIS CONCERN THAT THE APPLICATION IS NOT CLEAR ON THE DISPOSAL OF THE WASTE AS THAT IS THE CORE OF THE BUSINESS. ALL OF HIS OTHER QUESTIONS HAVE BEEN ANSWERED.

COMMISSIONER STRINGER MOVED TO TABLE THE BUSINESS LICENSE FOR MOGEN AND MOGEN. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

PUBLIC INPUT:

REPRESENTATIVE SCOTT CHEW THANKED THE COMMISSIONERS FOR RECOGNIZING HIS ATTENDANCE BUT HE DID NOT HAVE ANY NEWS OR QUESTIONS FOR THE COMMISSION.

THE COMMISSIONERS ADDRESSED A CONCERN WITH THE BANDWIDTH CHANGES THAT WOULD AFFECT LOCAL TELEVISION STATIONS. THE FCC CAN SELL OFF BANDWIDTH. THOSE STATIONS GOING THROUGH THE SOLD BANDWIDTH WILL BE LOST TO MANY OF US. IT DOESN'T MEAN THERE WILL NO LONGER BE FREE TELEVISION BUT NEW EQUIPMENT WILL BE NEEDED TO ADJUST TO THE CHANGE. THIS WILL BE COSTLY. THERE MAY BE SOME FUNDING FROM THE SALE TO ASSIST WITH CHANGES. WE WOULD PREFER THIS NOT TO HAPPEN BUT WE DO NOT HAVE ANY CHOICE.

STEVE EVANS NOTED HE HAS SOME EXPERIENCE WITH THE FCC AND ENCOURAGED THE COMMISSIONERS TO PROVIDE THE FCC WITH A PETITION TO DENY THE SALE. IT IS WORTH TRYING. THE SIX COUNTY COALITION SHOULD DO ONE AS WELL. IT IS IMPORTANT FOR SOME TO HAVE TELEVISION ACCESS FOR SAFETY PURPOSES.

CHERYL STOCKS ASKED ABOUT FLIGHT SERVICES IN VERNAL. COMMISSIONER RAYMOND RESPONDED TWO APPLICANTS RESPONDED TO THE RFP FOR ESSENTIAL AIR SERVICE TO THE UINTAH BASIN AND GRAND COUNTY. THE RESPONDERS WERE VIA AIR AND BOUTIQUE AIR. VIA AIR FLIES A BRAZILIA, WHICH IS WHAT WE HAD WITH SKY WEST AND WOULD BE OUR PREFERRED CARRIER. BOUTIQUE AIR FLIES AN EIGHT SEATER, SINGLE ENGINE AIRCRAFT. THERE ARE ADDITIONAL CHALLENGES, SUCH AS SECURITY. WE ARE HOPEFUL TO GET THIS APPROVED AND SET UP QUICKLY. THEY WILL GO TO DENVER NOT SALT LAKE.

ADAM MASSEY INDICATED THERE IS AN OPEN HOUSE WITH UDOT TONIGHT FROM 5 TO 7 AT THE VERNAL CITY BUILDING. IT IS IN REGARDS TO THE ROAD FROM JENSEN TO THE MONUMENT.

THERE IS A CONFERENCE CENTER OPEN HOUSE TOMORROW THE 17TH FROM 4 TO 7. IT WAS DIFFICULT SCHEDULING THE OPEN HOUSE DUE TO THE EVENTS AT THE CONFERENCE CENTER.

ADJOURN: MEETING ADJOURNED AT 12:18 P.M.


MICHAEL MCKEE, CHAIR


MICHAEL W. WILKINS, CLERK-AUDITOR